

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

723T0386

## HOUSE BILL NO. 1205

Introduced by: Representatives Stricherz, Conzet, Cronin, Fargen, Hickey, Hoffman, Hunt, Killer, Kirkeby, Kloucek, Lucas, Nelson (Stace), Olson (Betty), Solum, Tornow, and Verchio and Senators Nygaard, Begalka, Maher, and Rhoden

1 FOR AN ACT ENTITLED, An Act to exempt federal veterans' disability benefits from certain  
2 support obligations and other claims.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Federal disability benefits awarded to veterans for service-connected disabilities  
5 pursuant to Chapter 11 of Title 38 of the United States Code, as amended to January 1, 2012,  
6 may not be used to determine a person's income in calculating a support obligation or to satisfy  
7 any support obligation. Such benefits are exempt from creditor claims and are not liable to  
8 attachment, levy, or seizure by or under any legal or equitable process. This section does not  
9 apply to that portion of service-connected disability benefits that are subject to child and spousal  
10 support enforcement under Title 42 United States Code section 659(h) (1) (A) (ii) (V), as  
11 amended to January 1, 2012.

